

REMARKS

Claims 1, 6-11, and 16-21 remain in the application and claims 1 and 11 have been amended hereby.

Reconsideration is respectfully requested of the rejection of claims 1, 7, 8, and 11 under 35 USC 103(a), as being unpatentable over Morioka et al. in view of Raju et al.

Features of the present invention are a hybrid disc (Fig. 1C and 51 in Fig. 6) including a reproduction-only area and a rewritable area, the reproduction-only area having recorded thereon data programs and a second management area for recording management data (e.g. a unique management number) for identifying the hybrid disc, and a rewritable area having recorded thereon an imperfect index (e.g. scrambled) so that the data programs are unreproducible from the hybrid disc.

Further features of the present invention are a signal generating portion (55 and 56 in Fig. 6) for generating and transmitting a perfect index data based on the received management data identifying the recording medium, wherein when the perfect index data is received, the imperfect index data is rewritten with the perfect index data so that the stored data programs can be reproduced.

Independent claims 1 and 11 have been amended to recite these features of the present invention described in page 28, line 5 to page 29, line 18 of the present application, for example.

It is respectfully submitted that the combination of Morioka et al. and Raju et al. fails to show or suggest the presently

claimed hybrid disc including a reproduction-only area and a rewritable area. Both Morioka et al. and Raju et al. are using hard drives.

Further, it is respectfully submitted that the combination of Morioka et al. in view of Raju et al. fails to show or suggest a recording medium having an imperfect index and management data identifying the recording medium stored therein, transmitting the management data to a signal generating portion for generating and transmitting a perfect index data based on the received management data, and rewriting the imperfect index data with the perfect index data so that the stored data programs can be reproduced.

The Office Action at paragraph 6 concedes that Morioka et al. fails to show or suggest anything related to an imperfect index being rewritten by a perfect index and cited Raju et al. as curing this deficiency.

It is respectfully submitted that, although Raju et al. is teaching how to restore an index that has become corrupted, Raju et al. fails to show or suggest generating/transmitting/rewriting an imperfect index with a perfect index generated based on management data identifying the recording medium such as a unique management number.

Accordingly, it is respectfully submitted that amended independent claims 1 and 11, and the claims depending therefrom, are patentably distinct over Morioka et al. in view of Raju et al.

Reconsideration is respectfully requested of the rejection

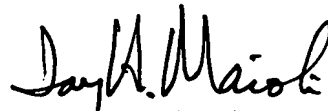
of claims 6, 9, 10, and 16-21 under 35 USC 103(a), as being unpatentable over Morioka et al., Raju et al., and Russo.

Claims 6, 9, and 10 depend from claim 1, and claims 16-21 depend from claim 11, respectively. The rejection of claims 1 and 11 over Morioka et al. and Raju et al. has been addressed above and, because there are no features in Russo that somehow could be combined with Morioka et al. and Raju et al. and result in the presently claimed Invention, it is respectfully submitted that claims 6, 9, and 10 and 16-21 are patentably distinct over Morioka et al., Raju et al., and Russo.

Entry of this amendment is earnestly solicited, and it is respectfully submitted that the amendments made to the claims hereby raise no new issues requiring further consideration and/or search, because all of the features of this invention have clearly been considered by the examiner in the prosecution of this application and because the present amendments serve only to further define and emphasize the novel features of this invention.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,
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JHM/PCF:tb